

BILL NO. Z-74-07-20

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. FF1

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated
a R3 district under the terms of Chapter 36, Municipal Code of the City of Fort
Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amend-
ments thereof; and the symbols of the City of Fort Wayne Zoning Map No. FF1,
referred to therein, established by Section 9, Article III of said Chapter as
amended, are hereby changed accordingly, to-wit:

The west .72 acres of Lot 18, Edsall's Subdivision of Lagro
Reserve, part of Lagro Reserve South of the Huntington Road

SECTION 2. This Ordinance shall be in full force and effect from and
after its passage, approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Kraus, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 7/9/74

Charles M. Nuckols
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	_____	_____	_____	_____
HINGA	_____	_____	_____	_____
KRAUS	_____	_____	_____	_____
MOSES	_____	_____	_____	_____
NUCKOLS	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	_____
SCHMIDT, V.	_____	_____	_____	_____
STIER	_____	_____	_____	_____
TALARICO	_____	_____	_____	_____

DATE: _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 9, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-07-20; and,

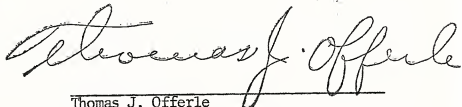
WHEREAS, the required notice of public hearing on such proposed ordinance was set for September 6, 1974, and Public Hearing to be held on September 16, 1974; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission, by the attorney representing the petitioner;

NOW THEREFORE BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

Certified and signed this
3rd day of September, 1974.



Thomas J. Offerle
Secretary

Bill No. Z-74-07-20

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. FF1

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Unanimously PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
DJ Schmidt

DATE 7-10-74 CCN
CHARLES W. WESTERHOLM, CITY CLERK

RECEIPT

GENERAL FUND

No 255

FT. WAYNE, IND.,

Jan 29 1974

RECEIVED FROM

Fidelity Realty Corp \$ 50.00

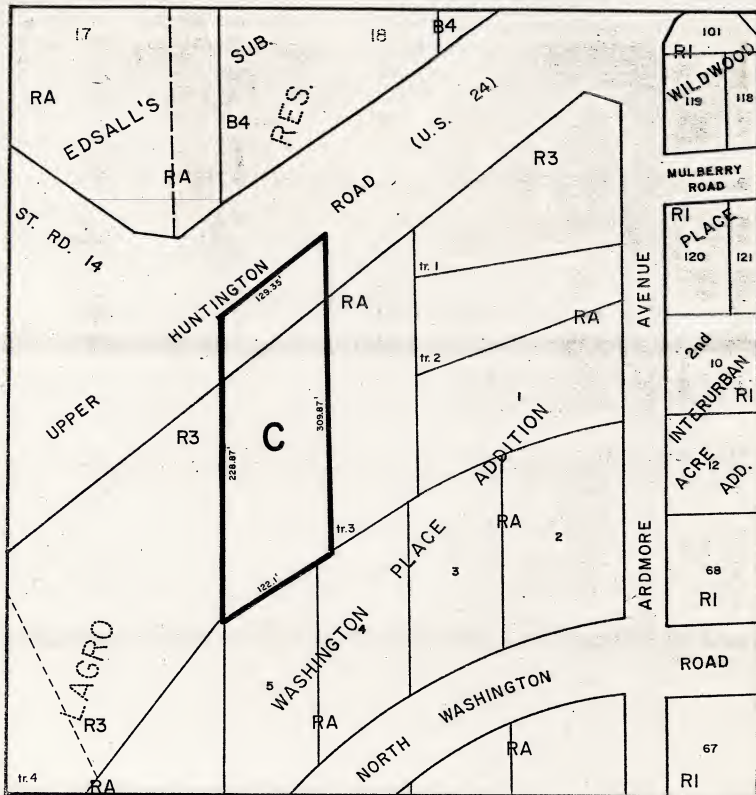
THE SUM OF

Fifty Dollars ⁰⁰/₁₀₀ DOLLARS

ON ACCOUNT OF

West. 72 Acres of Lot 18Edwards Subdivision of LargeVelma Freese

AUTHORIZED SIGNATURE



C CHANGE FROM RA TO R3

2-74-07-20

N

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____
Intended Use _____

I/We Dale E. Sims and Elsie J. Sims, husband and wife
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-A District to a/an R-3 District the property described as follows:

The west .72 acres of Lot 18, Edsall's Subdivision of Lagro

Reserve, part of Lagro Reserve South of the Huntington Road

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>Dale E. Sims</u>	<u>3835 Upper Huntington Road</u>	<u>Dale E. Sims</u>
	<u>Fort Wayne, Indiana</u>	
<u>Elsie J. Sims</u>	<u>3835 Upper Huntington Road</u>	<u>Elsie J. Sims</u>
	<u>Fort Wayne, Indiana</u>	

(Name)

(Address)

(Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

<u>Thomas M. Gallmeyer</u>	<u>Indiana Bank Building</u>	<u>219/422-9454</u>
	<u>Fort Wayne, Indiana</u>	
(Name)	(Address)	(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN

REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA

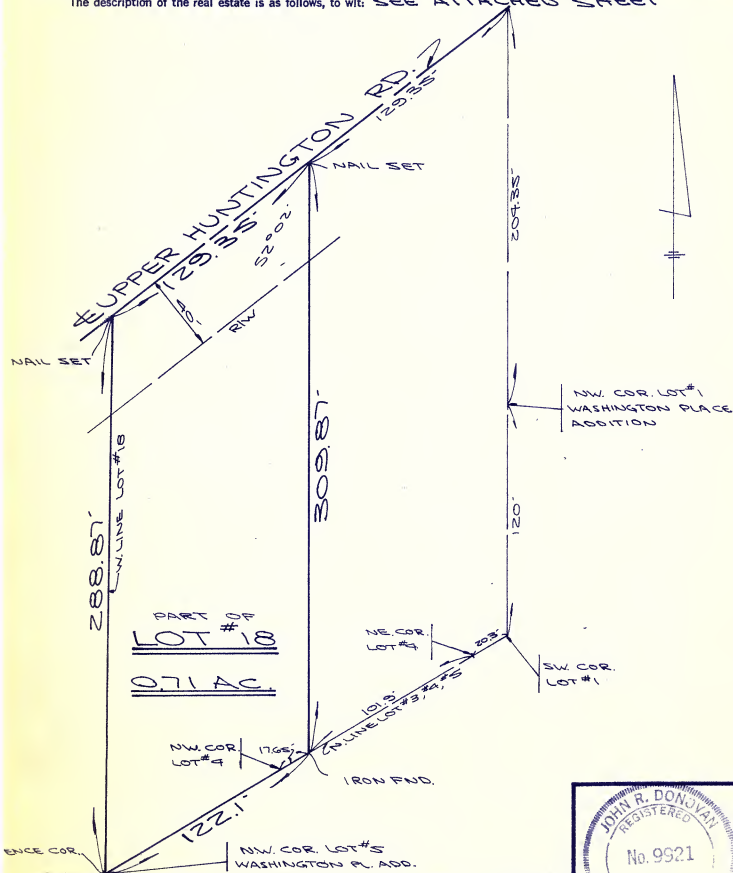
REGISTERED LAND SURVEYOR No. 9921 INDIANA

FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: SEE ATTACHED SHEET



JOB FOR: SIMS

1"=50'
S-22-74.



CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN

REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA

REGISTERED LAND SURVEYOR No. 9921 INDIANA

FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, Allen County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: A tract of land in Township 30 North, Range 12 East being a part of Lot Numbered 18 Edsall's Subdivision of LaGro Reserve, together with a part of the East 26.0 rods of the South 160.0 rods of said LaGro Section, by metes and bounds described as follows:

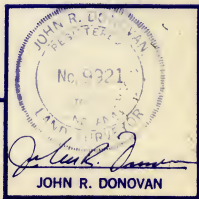
Commencing at the Northwest corner of Lot Numbered 1 in the plat of Washington Place Addition, as recorded in plat Book 15, page 134, of the records in the Office of the Recorder of said County; thence North and parallel to the East line of said Lot numbered 18 of Edsall's Subdivision, a distance of 204.35 feet to an intersection by the center line of the public highway known as the Upper Huntington Road; thence Southwesterly on the center line of said highway, 258.7 feet to its intersection by the West line of said Lot Numbered 18 Edsall's Subdivision; thence South on the West line of aforesaid Lot, and on a line parallel to and 26.0 rods West of the East line of said LaGro Section, a distance of 288.87 feet to the Northwest corner of Lot Numbered 5 of said Washington Place Addition; thence Northeasterly on the North lines of Lots numbered 5, 4 and 3, a distance of 244.3 feet to the Southwest corner of Lots numbered 1 in said Washington Place Addition; thence North on the West line of the aforesaid Lot, 120.0 feet to the point of beginning, subject to the right-of-way of the United States Highway numbered 24 along the North border thereof, containing a gross area of 1.43 acres or a net area of 1.19 acres, in Allen County, Indiana, excepting from the above described real estate the following tract:

A tract of land in Township 30 North, Range 12 East, being a part of Lot Numbered 18 Edsall's Subdivision of LaGro Reserve, together with a part of the East 26.0 rods of the South 160.0 rods of said LaGro Section and by metes and bounds described as follows:

Commencing at the Northwest corner of Lot numbered 1 in the plat of Washington Place Addition, as recorded in Plat Book No. 15, page 134, in the records of the Office of the Recorder of Allen County, Indiana; thence North and parallel to the East line of said lot numbered 18 of Edsall's Subdivision, a distance of 204.35 feet to the center of the public highway known as the Upper Huntington Road; thence Southwesterly on the aforesaid highway center line, a distance of 129.35 feet; thence Southerly, a distance of 309.87 feet to a point in the North line of Lot numbered 4 Washington Place Addition, aforesaid, situated at a distance of 17.65 feet Northeasterly from the Northwest corner of the aforesaid Lot numbered 4, aforesaid; thence Northeasterly on the North line of said Lot numbered 4, a distance of 101.9 feet to the Northeast corner thereof; thence continuing Northeasterly on the North line of Lot numbered 3 Washington Place Addition, aforesaid a distance of 20.3 feet to the Southwest corner of Lot numbered 1 in said Washington Place Addition; thence North on the West line of the aforesaid Lot numbered 1, a distance of 120 feet to the place of beginning, containing approximately six-tenths of an acre.

JOB FOR: SIMS

S-22-74



LAW OFFICES

ROTHBERG, GALLMEYER, FRUECHTENICHT & LOGAN

SOL ROTHBERG
THOMAS A. GALLMEYER
GEORGE E. FRUECHTENICHT
THOMAS D. LOGAN
PHILLIP E. GUTMAN
JOHN H. HEINEY
VERN E. SHELDON

DONALD M. AIKMAN
MARTIN T. FLETCHER
DAVID A. TRAVELSTEAD
RICHARD D. ROBINSON
THOMAS M. GALLMEYER
RICHARD E. FOX

AREA CODE 219
TELEPHONE 422-9454

INDIANA BANK BUILDING
FORT WAYNE, INDIANA
46802

August 28, 1974

Mr. James Kelley, President
City Plan Commission
City-County Building
One Main Street
Fort Wayne, Indiana 46802

RE: Zoning Petition #Z-74-07-20
(Sims)

Dear Mr. Kelley:

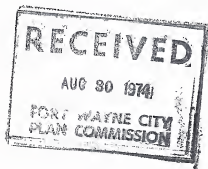
Please be advised that as attorneys for the Petitioners with regard to the above captioned zoning petition, we would like to at this time withdraw our petition for a zoning change. If there is any problem with regard to this matter, please feel free to call.

Sincerely yours,

ROTHBERG, GALLMEYER,
FRUECHTENICHT & LOGAN


Thomas M. Gallmeyer

TMG/jat



TITLE OF ORDINANCE Zoning Map Amendment Ordinance

3-74-07-20

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of a zoning map amendment ordinance

petition initiated by property owners to rezone property located as follows:

The west .72 acres of Lot # 18, Edsall's Subd-ision of Lago Reserve,
generally located on the south side of Upper Huntington Road (U. S. # 24), north

of Washington Place Addition, directly east of the intersection of U. S. # 24
and S. R. # 14, and approximately 380 feet west of the intersection of U. S. # 24

and Ardmore Avenue.

From "RA" to "R3"

EFFECT OF PASSAGE Property is presently zoned "RA" - Suburban Residential.
Petitioners are requesting an "R3" District - Multiple Family Residential.

Under the "R3" District, offices and studios are permitted following Board of Zoning
Appeals Approval.

EFFECT OF NON-PASSAGE Property would remain "RA"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.)

Regulation